

REMARKS

The main independent claims 1 and 11 are rejected based on the proposed combination of the admitted prior art and Vukovic. Moreover, paragraph 7 of the Office Action provides remarks in response to the points made in Applicants' October 5th response, which have been reviewed and are appreciated by the undersigned attorney.

However, it is respectfully submitted that said remarks are overlooking the fact that neither the admitted prior art, Vukovic nor the proposed combination thereof even remotely suggests the whole thrust of the claimed invention, which is to adjust the power level of the data transmission in a compression mode of operation in the user equipment to a correct power level before a subsequent data transmission is sent, as claimed herein.

Clearly, the admitted prior art does not suggest such an adjustment of the power level of the data transmission in a compression mode of operation, especially to correct the power level before a subsequent data transmission is sent. The reasoning in the office Action appreciates this fact.

Moreover, Vukovic's MS 302 adjusts the power level of each access request until receiving an "ACK" or "NAK" back from the base station 306 in Figure 3, as set forth in paragraphs 21 to 23. However, similar to the admitted prior art, this adjustment

of the power level is not done during a compression mode of operation, especially to correct the power level before a subsequent data transmission is sent.

In view of this, both cited prior art references are missing two critical pieces of the claimed invention - one, to adjust the power level during a compression mode of operation, and two, to correct the power level before a subsequent data transmission is sent when in this mode.

It is respectfully submitted that since Vukovic does not make up for the fundamental deficiency in the teaching of the admitted prior art in this most important regard, the proposed combination thereof does not, and cannot, result in the claimed invention.

For all these reasons, it is respectfully submitted that the proposed combination does not teach or suggest the claimed invention.

The remaining rejected dependent claims depend directly or indirectly from claims 1 or 11, contain all the limitations thereof, and are deemed patentable over the proposed combination for the aforementioned reasons.

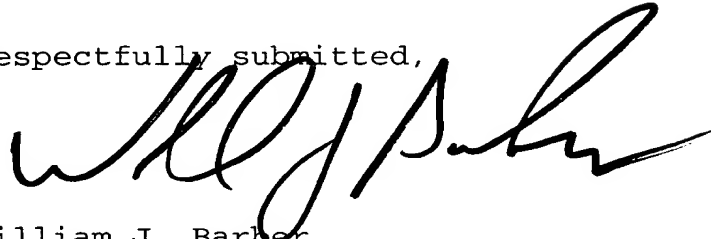
We also note that dependent claims 3-5, 10, 13-15 and 20-33 are indicated to be allowable if rewritten or amended to include the base claim and any intervening claims.

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Dependent claims 3-5, 10, 14-15 and 20-33 are indicated to allowable if rewritten or amended to include the base claim and any intervening claims. In view of the remarks above, we do not believe that it is necessary to amend these claims. Moreover, claim 13 is an independent claim that recites a specific embodiment of the invention and is indicated to be allowable.

Reconsideration and early allowance of all the claims is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. J. Barber', is written over the typed name and title.

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